

Notice of Allowability

Application No.

09/691,435

Examiner

Steven Ashburn

Applicant(s)

YAMAGUCHI ET AL.

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment and remarks filed 5/26/2004.
2. ☒ The allowed claim(s) is/are 1-15 and 19-47.
3. ☒ The drawings filed on 18 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MARK SAGER
PRIMARY EXAMINER

NOTICE OF ALLOWABILITY

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Gregory LaPointe on September 01, 2004. The application has been amended as follows:

Claim 1. Immediately before the last paragraph of the claim which states, "wherein information specified by the outward movement of each of the supplied rolling bodies is used as the result of a draw of numbers.", insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 5. Immediately before the last paragraph stating "wherein the result of a draw of number is specified by the symbol assigned to the catching unit in which the moving rolling body is caught.", insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 14. Immediately before the last paragraph of the claim which states, "wherein information specified by the outward movement of each of the supplied rolling bodies is used as the result of a draw of numbers.", insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 19. Immediately before the last paragraph of the claim which states, “wherein information specified by the outward movement of each of the supplied rolling bodies is used as the result of a draw of numbers.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 20. Immediately before the last paragraph of the claim which states, “wherein the result of a draw of number is specified by the symbol assigned to the catching unit in which the moving rolling body is caught.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 21. Immediately before the last paragraph of the claim which states, “wherein symbols specified by the moving rolling bodies when the bodies have stopped are used as the results of a draw of numbers”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 36. Immediately before the last paragraph of the claim which states, “wherein information specified by the outward movement of each of the supplied rolling bodies is used as the result of a draw of numbers.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

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Claim 37. Immediately before the last paragraph of the claim which states, “wherein the result of a draw of number is specified by the symbol assigned to the catching unit in which the moving rolling body is caught.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 38. Immediately before the last paragraph of the claim which states, “wherein symbols specified by the moving rolling bodies when the bodies have stopped are used as the results of a draw of numbers”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 39. Immediately before the last paragraph of the claim which states, “wherein the result of a draw of number is specified by the symbol assigned to the catching unit in which the moving rolling body is caught.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Claim 40. Immediately before the last paragraph of the claim which states, “wherein information specified by the outward movement of each of the supplied rolling bodies is used as the result of a draw of numbers.”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

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Claim 41. Immediately before the last paragraph of the claim which states, “wherein symbols specified by the moving rolling bodies when the bodies have stopped are used as the results of a draw of numbers”, insert the following paragraph:

-- wherein the driving means dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies;--.

Allowable Subject Matter

Claims 1-15 and 19-47 are allowed. The following is an examiner’s statement of reasons for allowance:

Claims 1, 5, 14, 19-21, 30, 36-41. In combination with the other features of the claims, the prior art does not teach or suggest, a number drawing apparatus comprised of a rotating unit having a surface upon which rolling bodies are supplied; a rolling body supply means at the central portion of the rotating unit; and a rotating unit driving means that dynamically changes the rotational speed of the disk member for changing the rotational speed and/or rotational direction of the rolling bodies.

Claims 2-4, 6-13, 22-29, 31-35 and 42-47 are allowable as being dependent upon an allowed base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Ashburn whose telephone number is 703 305 3543. The examiner can normally be

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reached on Monday thru Friday, 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H Banks can be reached on 703-308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

s.a.

A handwritten signature in black ink, appearing to read 'MS', with a long horizontal flourish extending to the right.

MARK SAGER
PRIMARY EXAMINER